

***APPENDIX NO. 3***

**ORDER<sup>1</sup>**

This case is before the Court pursuant to the motion of defendant City of Chattanooga for approval of the Redistricting Plan for Elections of Members of the City Council ("Redistricting Plan") which the Chattanooga City Council approved as Ordinance 9640 on third and final reading on November 26, 1991. The Redistricting Plan is based on 1990 census figures and has been submitted to this Court for review pursuant to paragraph 20 of the Amended Plan which was a part of the Agreed Order entered by this Court on January 18, 1990. This Court retained jurisdiction for the limited purpose of reviewing this Redistricting Plan pursuant to 42 U.S.C. § 1973a(c).

No opposition has been filed to the City's motion. A review of the Redistricting Plan reveals on its face that it is in compliance with the Voting Rights Act of 1965, as amended, 42 U.S.C. §§ 1973 - 1973ff-6, as well as the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution.

It is, therefore, ORDERED that the Redistricting Plan (Ordinance 9640) be, and it hereby is, APPROVED. Therefore, the judgment previously entered in this case is now in all respects FINAL.

ENTER:

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R. ALLAN EDGAR  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>Filed in Brown, et al. v. Board of Commissioners, et al. in the United States District Court for the Eastern District of Tennessee, Southern Division, on January 17, 1992.

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ORDINANCE NO. 9640

AN ORDINANCE REAPPORTIONING THE NINE DISTRICTS FOR CITY COUNCIL AND SCHOOL BOARD POSITIONS AND AUTHORIZING THE CITY ATTORNEY TO SUBMIT THIS REAPPORTIONMENT PLAN TO THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE, CHATTANOOGA DIVISION.

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SECTION 1. WHEREAS, Section 19 of the Court Order in the case of Brown v. Board of Commissioners of the City of Chattanooga, Tennessee, No. Civ-1-87-388, in the United States District Court for the Eastern District of Tennessee requires that following the publication of each new official decennial federal census, the Council shall reorganize and adjust by ordinance the boundaries of the council districts; and

WHEREAS, the same section requires that the adjusted districts shall be as equal in population as practicable; and

WHEREAS, the City has now received the official results of the 1990 decennial federal census and is therefore required to redistrict;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That the nine districts for City Council and School Board positions be and are hereby reapportioned and redistricted so as to provide that the following districts are hereby established for the various council positions:

**CHATTANOOGA PRECINCT MAP**

	<b>1990 TOTAL</b>	<b>1990 BLACK POP.</b>	<b>% OF TOTAL</b>
<u><i>DISTRICT 1:</i></u>			
Wauhatchie City	1,774	0	0.00%
Valleyview East	3,106	2	0.06%
Mountain Creek	6,590	475	7.21%
Northwoods North	<u>4,902</u>	<u>105</u>	<u>2.14%</u>
<b><i>SUBTOTAL</i></b>	16,372	582	3.55%
<u><i>DISTRICT 2:</i></u>			
Northgate	3,918	93	2.37%
Lupton City	2,509	23	0.92%

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Stuart Heights	2,515	81	3.22%
Northwoods South	1,984	69	3.48%
Riverview	2,537	105	4.14%
North Chattanooga	<u>2,854</u>	<u>188</u>	<u>6.59%</u>
<b><i>SUBTOTAL</i></b>	16,317	559	3.43%
<b><i><u>DISTRICT 3:</u></i></b>			
Hixson	3,206	74	2.31%
Hixson 2	4,485	33	0.74%
Dupont	2,484	17	0.68%
Murray Hills	2,829	566	20.01%
Lake Hills	2,247	256	11.39%
Kings Point	<u>2,334</u>	<u>852</u>	<u>36.50%</u>
<b><i>SUBTOTAL</i></b>	17,585	1,798	10.22%
<b><i><u>DISTRICT 4:</u></i></b>			
Tyner	6,090	464	7.62%
Concord	6,235	621	9.96%
East Brainerd	<u>4,849</u>	<u>131</u>	<u>2.70%</u>
<b><i>SUBTOTAL</i></b>	17,174	1,216	7.08%
<b><i><u>DISTRICT 5:</u></i></b>			
Bonny Oaks	3,721	2,028	54.50%
Airport	2,969	1,998	67.30%
Woodmore	3,467	2,256	65.07%
Dalewood	2,819	2,572	91.24%
Eastdale	<u>4,299</u>	<u>3,746</u>	<u>87.14%</u>
<b><i>SUBTOTAL</i></b>	17,275	12,600	72.94%
<b><i><u>DISTRICT 6:</u></i></b>			
Eastgate	3,749	586	15.63%
Brainerd	2,988	612	20.48%
Sunnyside	2,635	1,001	37.99%
Miss. Ridge-South	1,318	41	3.11%
Miss. Ridge-North	278	19	6.83%
Ridgedale	1,323	652	49.28%
Cedar Hill	1,768	49	2.77%
Brainerd Hills	<u>3,254</u>	<u>362</u>	<u>11.12%</u>
<b><i>SUBTOTAL</i></b>	17,313	3,322	19.19%

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**DISTRICT 7:**

St. Elmo	2,872	1,191	41.47%
Moccasin Bend	3,524	1,030	29.23%
Alton Park	3,222	3,192	99.07%
East Lake	4,403	530	12.04%
Howard	1,456	1,370	94.09%
Piney Woods	<u>2,262</u>	<u>2,235</u>	<u>98.81%</u>
<b><i>SUBTOTAL</i></b>	17,739	9,548	53.82%

**DISTRICT 8:**

Downtown	3,023	1,826	60.40%
Avondale	3,782	3,703	97.91%
City Hall	2,520	1,919	76.15%
Clifton Hills	2,607	1,356	52.01%
Courthouse	2,599	1,141	43.90%
Bushtown	<u>1,564</u>	<u>1,432</u>	<u>91.56%</u>
<b><i>SUBTOTAL</i></b>	16,095	11,377	70.69%

**DISTRICT 9:**

Highland Park	2,423	930	38.38%
East Chattanooga	3,161	1,516	47.96%
Glenwood	4,541	4,038	88.92%
Amnicola	534	388	72.66%
Eastside	4,372	1,828	41.81%
Orchard Knob	<u>1,565</u>	<u>1,533</u>	<u>97.96%</u>
<b><i>SUBTOTAL</i></b>	<u>16,596</u>	<u>10,233</u>	<u>61.66%</u>
<b><i>TOTAL</i></b>	152,466	51,235	33.60%

**SECTION 2.** BE IT FURTHER ORDAINED That the City Attorney, as Chief Legal Officer of the City, be and is hereby authorized to submit this Ordinance to the United States District Court for the Eastern District of Tennessee, Chattanooga Division, for the preclearance pursuant to the provisions of Section 20 of the above-referenced Court Order.

**SECTION 3.** BE IT FURTHER ORDAINED That this Ordinance shall take effect two weeks from and after its passage as required by law; however, it shall not be operative until such time as the District Plan is approved by Court Order of the said United States District Court.

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PASSED on Third and Final  
Reading Nov. 26, 1991.

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CHAIRPERSON

APPROVED:\_\_\_\_\_ DISAPPROVED:\_\_\_\_\_

DATE: \_\_\_\_\_, 1991.

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MAYOR

RLN:cmc